*Previous references*

1916.
(Municipals

Ind File No 81-19-
Serial Nos 1,3,5-16

*Later references*
Ind 44-16
3K 12, 21
Ind 63-32 86 64-74
63-33 185, 186 187, 188

# GENERAL AND REVENUE SECRETARIAT

*Serial Nos* 1,3,5-16

Part B for January 1916

SUBJECT

Bye-laws for controlling hotels, eating houses and factories for the manufacture of aerated waters in Bawanagara municipality

To the Secretary
Chitaldurg
No 5259 of 20/1/16.

I am directed with reference to the Bye-laws for the control of hotels, eating houses and and of factories for the manufacture of Aerated waters in the Bawanagara municipality

GRS 58

GPB—4 000—4 7 11

G R S 111 1915-16

GENERAL AND REVENUE SECRETARIAT

( Jud )

NOTES

File No 81/15

FILE HEADING

Rules and byelaws of Municipalities Chetalong &c

From

The Offg Deputy Commr, Chetalong &c

No 51 Dated 3 8 15 Received 5-8-15

| Diary No 499 | Enclos | Spare Copies | Serial No 1 |
|---|---|---|---|

BRIEF ABSTRACT OF LETTER

Forwards for sanction the draft byelaws framed by the Davangere municipal Council under Section 48(1)(c) of the Municipal Regulation for controlling hotels eating houses and factories for the manufacture of Aerated waters in Davangere

NOTES AND ORDERS

The draft byelaws make it obligatory to obtain licenses to keep hotels eating houses and factories for the manufacture and sale of aerated waters

Notes—First Sheet

GPB—20 000—8-8 14

G R S 12]

General and Revenue Secretariat | Kal File No 81 of 1916-16

Serial No. (2) but the Municipal Regulation Sec 48 does not confer such a power on the municipal councils Sec 48(1)(c) only provides for the ~~[illegible] of bye laws~~ inspection of hotels etc and for securing the cleanliness of such places.

(3) These byelaws II to IV of the byelaws for Controlling the manufacture of aerated waters are ultra vires and will therefore have to be omitted

Byelaw I 'approved' will have to be substituted for 'licensed'

Byelaw XI The word 'municipal' is proposed to be omitted since the President may depute a Health Officer, or Sanitary Officer and not necessarily a municipal officer

Byelaw XIV The changes indicated in pencil are proposed since it is not obligatory to take out a license and the words "provided that the total fine does not exceed Rs 500" are proposed to be added at the end in view of the discussions on the point contained in the notes to Mil 98-09 Sls 1-4 B December 1910 While passing similar byelaws in respect to the Bangalore City municipality

Q

NOTE—Contn sheet

GPB—25 000—30-4 15

(3

G R S 12]

General and Revenue Secretariat | Jul File No 81 of 1916

Serial No 11

Mest as regards byelaws in connection with Hotels and Eating Houses—

Byelaw I (2) & (3) are proposed to be clubbed together as noted in pencil after omitting the words "without an annual license from the President" since the Mal Council have no power to force licenses being taken out for the purpose.

Byelaw II The words "drawn from Sources approved by the President" are proposed to be inserted to prevent under water of undesirable quarters being used which though filtered may not be fit for drinking purposes.

Byelaw III The alterations proposed in pencil are intended to make the matter clear It is submitted that the last sentence would by itself appropriately constitute a separate byelaw

Byelaw IV (1) The word complete before lining is proposed to be omitted as it serves no purpose along with continual

IV (2) The order of the words has to be changed to make the meaning clear

IV (3) The words "daily Conservancy will be omitted and the words "and removed daily added at the last

NOTE—Contn sheet

GPB—25,000—30-4-15

(4

(G R S 12)

General and Revenue Secretariat

Jud File No 81 of 1915—16

Serial No

bylaws VII ~~Section~~ is ultra vires & will therefore have to be deleted

It would be more convenient if the definition of the keeper or manager is brought at the Commencement of the bylaws

bylaws VIII appears unnecessary & ultra vires

Bylaw IX The pencil alteration is intended to make the direction simpler and to avoid imposing a penalty for not taking out a license and to restrict the total fine (the fine (~~Continuing~~ imposed for the first offence and that for continuing one) to a sum of Rs 500 the maximum that a municipal council is empowered to inflict under the Act

(5) Orders are solicited if the draft bylaws may be returned for revision in the light of remarks made above & sanctioned with the necessary alterations

K P

10/8/15

NOTE—Contn sheet

GPS—25,000—10-11-15

G R S 12]

General and Revenue Secretariat | 2nd File No 87 of 1915—16

Serial No

5

From

The Deputy Commissioner, Chitaldrug Dist. } No 213 Dated 4th Jan 1915

Request Sanction to the revised bye laws relating to aerated water factories and for controlling Native Hotels or eating houses in Davangere

(1) The Bombay District Municipal Act contains no provision enabling the municipalities to frame bye laws for controlling eating houses and aerated water factories Hence there are no bye laws corresponding in the Govt's model bye laws which correspond to those proposed

The revised bye laws as now proposed are almost identical with those sanctioned for the Bangalore Municipality with these differences in regard to Aerated water factories

(10) Bye law V lays down that all water to be used to manufacture aerated waters & for washing bottles, shall be drawn only from sources approved by the President while the corresponding bye law of the Bangalore city lays down that such water shall be pure and makes no mention of the sources from which it is to be drawn Since it has been laid down in another bye law that there shall be water connection to the factory from the Public water supply (Messrs Chattaraj

NOTE—Contn. sheet

GPB—25,000—20-4-15

G R S 12]

General and Revenue Secretariat

Ml File No 87 of 1915-16

Serial No

The ~~Desirability~~ Suitability of the byelaw proposed in respect to Davangere has already been noted in para 4 supra (Byelaw X)

Byelaw X

(11) The byelaw as it is framed proposes to give the power of entering the factory premises for the purpose of inspection only to the Medical officer, President or the Vice President and will have to be amended to confer the same power on any other person, such as a Sanitary Inspector even if authorized by the President Hence it is submitted that ~~the~~ for ~~any~~ officer deputed by the President may be inserted in place of the Vice President

May be done but it seems unnecessary to us

The byelaw ~~further~~ lays down that a Certificate from the Govt Chemical Examiner & Bacteriologist stating that a sample is unfit for human consumption shall be evidence that the proprietor or the manager of the factory from which the sample was taken shall be guilty of ~~any~~ the offence There is no such provision in a corresponding byelaw of The Bangalore city In addition to the Certificate that the sample was unfit for human consumption, evidence of other facts ~~to be adduced~~ would also in many cases be necessary to prove the offence. Hence the innovation seems no improvement and if approved the addition will be deleted

There is no presumption in any of the laws dealing with adulteration & selling unwholesome articles & consequently the burden of proof will not be shifted to the accused as in the present case

NOTE—Contn sheet.

(8

G R S 12]

General and Revenue Secretariat

1768

Jud File No 81 of 1915–16

Serial No

as such certificate can only be evidence of the opinion recorded therein about the Wholesomeness or otherwise of the Sample sent to him

(12) Next as regards byelaws relating to Native Hotels or Eating houses

The byelaws are identical with those of the Bangalore city. ~~in other respect~~ A small difference however requires notice In byelaw I (2) it is laid down that no place shall be used as an eating house unless it is approved of by the President or the Medical officer In no such restriction is imposed in the Bangalore city for permission to open a hotel is not required under the law but a hotel already opened or to be hereafter opened must satisfy certain conditions prescribed in the byelaws in respect of Ventilation drainage water Connection & other Sanitary matters

It is therefore submitted that if approved the words "and is approved of by the President or the Medical officer" will be omitted

Submitted for orders whether the byelaws may be sanctioned with the alteration suggested above

K P JMS
11/16

contn sheet.

G.P.S.—20,000—30-6-16.

(9

17

G R S 12]

General and Revenue Secretariat | Jud File No 81 of 1915--16

Serial No

A change maybe made in bylaw I by the addition of the words " or any officer authorised by the President"

As regards the second point, I am not sure if the bylaw is valid as it is now in Bangalore The bylaw now drafted by the Davangere Municipal Council seems objectionable The opinion cannot be prescribed as the mere opinion of the Chemical Examiner which is not stated on oath or subject to cross-examination in a court of law The bylaw cannot even be said to be a rule of evidence superseding the Law of Evidence as regards presumptions. Further it may indeed be inconsistent with the provisions of S 114 which give ample discretion to the magistrate to decide what is "Sufficient evidence" The Magistrate can never convict on the presumption when the law still says that there must be "sufficient evidence" The last portion may therefore be omitted

Put up draft Sanction with the modifications noted above

aft for upto approval

Sd
21/VIII

L III 23 (1).

Form—Contd sheet

8/12

(11) S.C.C.—21-11

G R S 12]

General and Revenue Secretariat | File No 81 of 191 S—16

Serial No

Draft approved

Sd/-

Secy)

(1) I find that the Special Clause under which the draft bylaws are framed is not given in the Bombay Act

Am I right?

Govt. Model Rules does not therefore help us

(1) As regards the draft bylaws manufacture & Sale of aerated waters,

I see that under Clause (c)

I see 48 refers to

"Other places for the manufacture or sale of such other articles as may be specified in clause (c)"

^ for the Sale of articles in Rule



GPB—No 000—21 1d

(11

G R S 12]

General and Revenue Secretariat

File No 81 of 1915-16

Serial No

The words used about "for the sale" seem to show that Rules for the manufacture of such articles are not within the scope of Rule 1 right in this view? I do so as the bye-laws require revision

The question may receive consideration when the above part is revised

Yours, [illegible]

3/12/15

In regard to the first query above, it is submitted that there is no corresponding to Sec 348 (c) in the Bombay Municipality Act

NOTE—Contn sheet

GPB—20,000—30-6-15

(12

G R S 12]

General and Revenue Secretariat | File No 84 of 1915—16

Serial No

At the time of passing these clauses in the Bill, it was stated that "by the addition of this clause power has been taken to make bylaws to provide for the inspecting and cleanliness of hotels and other places for the sale of food or drink, not coming under cl (6), and for the wholesomeness of the articles therein. Except to this extent it is not considered necessary to interfere with these private places by prescribing bylaws or otherwise"

From a perusal of this clause, it appears that bylaws can be framed so as to provide for

1) inspection of places for the sale of articles intended for human food or drink
2) Securing the cleanliness of such places, and
3) Securing the wholesomeness of the articles prepared therein

The draft bylaws in question may be held to come not only under 1) but also under the two subclauses 2) & 3) They may therefore be approved, as they are not ultra vires the clause seems sufficiently comprehensive to include within its scope all the bylaws now proposed and proposed in the draft.

ES
5/1/16

Secy)

NOTE—Contn sheet

GPB—70 000—17 12 15

Serial No

I agree that such byelaws are necessary, but am not equally convinced that they are within the four corners of the Clause (c) of Sec 2 48 (1)

However it is better perhaps to take some risk in these cases.
The draft may be appd.

2nd November 1916

These bye-laws are necessary & are in force in all municipalities of any importance.

10/11/16

11/11/16

6 To The Dy Commr Chittagong Dt No 5259 dt 20/11/16

Sanctions the byelaws in respect of eating houses & places used for the manufacture of aerated water in Dewanpore town

NOTE—Contn sheet

GPS—70 000—17 12 15

Enc 3

D 499

Rev 81-15-1

14

Office of the Deputy Commissioner,
Chitaldrug District
Dated Chitaldrug, 3rd August 1915

C. Venkata Rao Esquire B.A.,
Offg. Deputy Commissioner,
C h i t a l d r u g

V. R. Thyagaraja Iyer Esquire M.A ,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue Department,
B a n g a l o r e

S I R,

I have the honor to submit herewith for favor of sanction the byelaws framed by the Davangere Municipal Council under Section 48(c) of the Mysore Municipal Regulation relating to Aerated Coffee and hotels

2. The above byelaws are reported to have been promulgated for the information of the public, no objections or suggestions having been received in the matter before the appointed time The notice published in the town is submitted herewith

3 A copy of the resolution of the Municipal Council dated 8th May 1915 is also enclosed

I have the honor to be,
S I R,
Your most obedient servant,
Offg Deputy Commissioner,
Chitaldrug District

S.V.

DCS

GPE—100,000—29-7 14

From

The offg Deputy Commissioner
Chitaldrug District.

To

The Secretary to Government
Revenue Department
Bangalore

Dated

Despatched 4th August 1915-16.

Received

General No 571
No

Enclosure No 3

Submitting for favor of sanction the bye laws framed by the Davangere municipal council under S(4 & )(c) of the municipal regulation relating to aerated waters & hotels

Encl to Lr No 81-15-1 (15

1915ನೇ ಆಕ್ಟ್ ಪ್ರಕಾರ ಸಾರ್ವಜನಿಕ ಕಾಮಗಾರಿಗಳ 29 ಪ್ರಕರಣದಲ್ಲಿರುವಂತೆ

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ಹೆಸರು - ಶ್ರೀಯುತ ಕೆ.ಚೊಕ್ಕಣ್ಣ. ಎ Chokkanna Engineer B A

Senior Asst. Comm. Davangere Subdn

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VII ಸೈಟ್‌ಗಳಿಗೆ ಸಂಬಂಧಿಸಿದಂತೆ Related

ಕೆಳಕಂಡ ಪ್ರಕಾರ ಮಾಡಲಾಗಿದೆ I

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water ಸೌಲಭ್ಯಗಳಿಗಾಗಿ ನೀರಿನ

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ಮಾಡಿದೆ -

× × × ×

sd/- ಎ Chokkanna

President

Extract-n

Chokkanna

President

3/7/

Encl to Memo 81-15-1 46

Draft byelaws re manufacture and sale of aerated waters framed under section 48(c) of the Mysore Municipal Regulation of 1906

I. No place shall be used for the manufacture or sale of aerated waters unless licensed for the purpose.

II. Any person wishing to use any premises for the said purposes shall apply to the President for a license. The President may in his discretion grant or refuse such license and his action shall be final

? omit

III Application shall be made to the President before the end of the 1st month of each official year for the renewal of all licenses granted under these byelaws.

Omit

IV. Fees at the rate of R$^{s}$ 10 per annum for an aerated water factory shall be charged for licenses granted under these byelaws

Fee ? renewal Omit

✓ V. All water to be used in the manufacture of aerated waters shall be boiled before use and be kept while cooling in a suitable covered vessel If the water be filtered after boiling, the filtering vessels and material shallbe sterilized at such times and in such manner as the President may direct.

✓ VI. All water to be used for washing bottles &c shall be stored in closed iron vessels, and be treated before use with permanganate of Pottasium as the President may direct

✓ VII. The room in which aerated waters are manufactured shall be properly roofed and kept clean and in good repair The walls shall be plastered with mortar and shall be lime-washed at least once in three months The floor shall be stone flagged, tiled or otherwise made impervious to water and shall be properly drained

✓ VIII. All water to be manufactured into aerated waters or to be used for washing bottles shall be drawn only from sources approved by the President

✓ IX. Such water shall not be carried in massacks or in any other vessels not approved of by the President.

X Carts employed for the carriage of such water shall be kept on the premises; shall have the designation of the factory printed on the barrel and shall at all times be kept in a state of scrupulous cleanliness

XI. The premises and all appliances used in the manufacture shall be kept clean and shall be open to inspection at all reasonable times by the President, the Medical Officer or any other Municipal Officer deputed by the President.

/ Officer

XII. No aerated waters of any kind shall be issued from the manufactory without a proper label on each bottle giving full name and address of the manufacturer.

XIII. It shall be lawful for the Medical Officer or President or Vice President to enter any place used for the manufacture or sale of aerated waters at any time, when such place is open and to inspect or to take a sample of bottles of any kind of aerated waters which are there manufactured or kept for sale, ~~and any~~ Any proprietor or person in charge of such factory who refuses ~~to permit~~ permission to take such sample shall be guilty of an offence Such samples may be forwarded to the Government Chemical Examiner and Bacteriologist and if a certificate from him states that such sample is unfit for human consumption, it shall be evidence that it is so unfit until the contrary is proved and the proprietor or the manager of any place used for the manufacture or sale of aerated waters from which place any such sample was taken shall be guilty of an offence

XIV. A breach of any [condition of a license granted under these byelaws for aerated water manufacture] shall render the holder of the license and the person in charge of the place (~~licensed~~) liable on conviction before a Magistrate to a fine not exceeding Rs 20 and to a further fine which may extend to Rs 5 for every day after such conviction during which the breach continues provided that the total fi d

(Signed)
J Chokkanna
President

Copy.

for Deputy Coment
Chief Clerk

DMS

81

19

GRS 26]

SUBJECT Byelaws; to regulate Hotels, eating Houses and Aerated water factories in Davanagere —

Diary No of letter replied to 499

General and Revenue Secretariat
( Jud )
, the 191

Date of issue 1915

Signed by Jr G Srinivasadeger

Section Jud
File No. 81/15
Serial No 3

Ga 4
No 1793
mls 81-15-3
9/9/15

To
The Deputy Commissioner
Chitaldrug

Sir,

In returning the draft byelaws framed by the Davanagere Municipal Council to control the hotels or eating houses and places used for the manufacture and sale of aerated waters and received with your letter no. 51 dated the 3rd Aug, 1915 I am directed to

cler

1/8 M

49

Observe that under the Mysore Municipal Regulation it is not obligatory to take out licenses for keeping hotels, eating houses, aerated water factories etc as Contemplated by the draft byelaws. What the byelaws framed under section 48(1)(c) of the Municipal Regulation may provide for is the inspection of such places and the regulation with a view to secure cleanliness therein and the preparation of wholesome articles etc. Except to the extent the use of places for the purposes aforesaid can not be interfered with by prescribing the taking out of licenses

I am therefore

List of enclosures

Copied by

Examined by

GPB—20 000—14 2 14

G'R S 27]

GENERAL AND REVENUE SECRETARIAT

(*Continuation sheet draft form.*)

to request you to be so good as to place the draft byelaws before the municipal Council for reconsideration and revision in the light of the above observations and the suggestions made in pencil on the draft byelaws

Yours etc

Sd/-
for Asst Secretary

A reference may also be made to our Model byelaws in this connection

29/8/45

(1) 213
Ex. 5

2

Q 1748
Rev 81-15-5

Office of the Deputy Commissioner,
Chitaldrug District.
Dated Chitaldrug, 4th November 1915.

To

O. S. Balasundaram Iyer Esquire B.A.,
Deputy Commissioner,
C h i t a l d r u g.

O

V. R. Thyagaraja Iyer Esquire M.A.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
Revenue Department, Bangalore,

, I R,

With reference to your letter No 1793/M1 81-15-3 dated 1st September 1915 returning with certain observations the draft byelaws relating to aerated waters and hotels for being placed before the Davangere Municipal Council for reconsideration and revision, I have the honor to re-submit herewith the revised byelaws together with a copy of the resolution of the Davangere Municipal Council dated 2-10-1915 and to request that the same may kindly be sanctioned The original draft byelaws received with the above are also herein enclosed.

I have the honor to be,
S I R,
Your most obedient servant,
C Balasundaram
Deputy Commissioner,
Chitaldrug District

S.V

1118

GPB—53,000—25-9-15

1915-16 W.B.

From

The Deputy Commissioner,
Chitaldrug District.

To

The Secretary to Government,
Revenue Department,
Bangalore

Dated

Despatched 4th November 1915

Received

General No 213
No.

Enclosure No. 5.

Requesting sanction
revised
to the draft bye-laws relating
to aerated waters and hotels —
framed by the Davangere Mil
Council.

Resolved by-15-3

1793/ ಅ.ಪ.81-15-3 ದಿ/-9-15

ಈ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಸಾಧಕ-ಬಾಧಕಗಳ ಪರಿಶೀಲನೆಗಾಗಿ ಮುಂದಿನ ಸಭೆಯಲ್ಲಿ ಮಂಡಿಸಲು ಸಭೆಯು ತೀರ್ಮಾನಿಸಿತು.

ಸಭೆಯ ಅಧ್ಯಕ್ಷರು - ಶ್ರೀ ಚಿಕ್ಕಣ್ಣಗೌಡರು ಬಿ.ಎ
ಸೀನಿಯರ್ ಅಸಿಸ್ಟೆಂಟ್ ಕಮೀಷನರ್ ಮತ್ತು ಎಕ್ಸ್-ಆಫೀಷಿಯೋ
ಅಸಿಸ್ಟೆಂಟ್ ಕಮೀಷನರ್

× × × ×

ಈ ನಿರ್ಣಯವನ್ನು ಅನುಮೋದಿಸಿ ಸಹಿ ಮಾಡಲಾಗಿದೆ.

ಸಹಿ/- ಶ್ರೀ ಚಿಕ್ಕಣ್ಣಗೌಡರು
President

Executive
President

× × × ×

ಈ ನಿರ್ಣಯವನ್ನು ಅನುಮೋದಿಸಿ ಸಹಿ ಮಾಡಲಾಗಿದೆ.

ಸಹಿ/- ಶ್ರೀ ಚಿಕ್ಕಣ್ಣಗೌಡರು
President

Vice President
30/5/84

H

Mekaramaveeraiah

S/o Rudrappa

Re to Mud 89-15-5

Draft Byelaws re manufacture and sale of aerated waters framed by the Mud Council of Davangere under section 48(c) of the Mysore Municipal Regulation of 1906, and Sanctioned by Govt in Order no

I. No place shall be used for the manufacture or sale of aerated waters unless approved by the President for the purpose

II All water to be used in the manufacture of aerated waters shall be boiled before use and be kept while cooling in a suitable covered vessel If the water be filtered after boiling, the filtering vessels and material shall be sterilised at such times and in such manner as the President may direct

III. All water to be used for washing bottles &c , shall be stored in closed iron vessels and be treated before use with permanganate of pottasium as the President may direct.

IV. The room in which aerated waters are manufactured shall be properly roofed and kept clean and in good repair The walls shall be plastered with mortar and shall be lime-washed at least once in 3 months. The floor shall be stone flagged, tiled or otherwise made impervious to water and shall be properly drained.

V. All water to be manufactured into aerated waters or to be used for washing bottles shall be drawn only from sources approved by the President

VI Such water shall not be carried in massacks or in any other vessels not approved of by the President

VII Carts employed for the carriage of such water shall be kept on the premises, shall have the designation of the factory painted printed on the barrel and shall at all times be kept in a state of scrupulous cleanliness

VIII The premises and all appliances used in the manufacture shall be kept clean and shall be open to inspection at all reasonabl times by the President, the Medical Officer or any other Officer deputed by the President

IX. No aerated waters of any kind shall be issued from the manufactory without a proper label on each bottle giving full name and address of the manufacturer

X. It shall be lawful for the Medical Officer or President or Vice President to enter any place used for the manufacture or sale of aerated waters at any time when such place is open and to inspect or to take a sample of bottles of any kind of aerated waters which are there manufactured or kept for sale Any proprietor or person in charge of such factory, who refuses permission to take such sample shall be guilty of an offence Such samples may be forwarded to the Government Chemical Examiner and Bacteriologist and if a certificate from him states that such sample is unfit for human consumption, it shall be evidence that it is so unfit until the contrary is proved [~~and the proprietor or the manager of any place used for the~~ manufacture or sale of aerated waters from which place any such sample was taken, shall be guilty of an offence]

XI. A breach of any of these byelaws shall render the proprietor and the person in charge of the place liable on conviction before a Magistrate to a fine not exceeding Rs 20/- and to a further fine which may extend to Rs 5/- for every day after such conviction during which the breach continues, provided that the total fine does not exceed Rs 500

(Sd) T Chokkanna,
President

"COPY."

C Balasundaram
Deputy Commissioner,
Chitaldrug District.

S.V.

by the Bowringpet Municipal Council

~~Draft~~ byelaws rega Native Hotels or eating houses framed under section 48(c) of the Mysore Municipal Regulation of 1906 and Sanctioned by Government Order No

I.(1) An eating house or hotel includes any house or place where cooked rice, beef, mutton, poultry, vegetables, Dhall and confectionery or refreshments including chapaties, rice cakes, tea, coffee &c., are prepared and kept for sale Any person who shall appear act or behave as the person in charge of an eating house shall be deemed and taken to be the keeper or manager thereof.

(2) No place should be used as an eating house, unless it is sufficiently spacious and suitable for the purpose ~~and is approved of by the President or the Medical Officer~~

II. The water used in the premises for drinking purposes shall be drawn from sources approved by the President and be filtered, kept clean and free from floating impurities in a suitable covered clean receptacle The water receptacles shall be provided with a tap, so that the water may be drawn off and shall not be placed in a clean place at least a foot above the ground level

III The walls of every eating house shall be well plastered and cemented to a height of 4 feet from the ground, so as to make them impervious to water and the flooring shall be paved with Cuddapa or other dressed stones or flooring tiles or other material so as to make it impervious to water Kitchen and bath rooms shall be well ventilated and provided with proper smoke vents so that no smoke may pervade other rooms All rooms in the eating houses shall be well lighted and ventilated The proprietor or the person in charge shall not allow persons to dine in any other place but the dining hall

IV (1) All utensils and other furniture shall be kept clean and all metallic vessels used in cooking or for keeping food stuffs shall have a continual lining of tin and no lead vessels of any sort shall be used for any purpose All reasonable precautions shall be taken to preserve cooked food, pastry, sweetmeats, confectionery or preserved, dried or cut fruit

intended for human consumption from contamination from flies dust and bad odours

(2) No food stuff of any sort, which is stale, unwholesome, offensive or in any way unfit for human consumption shall be stored or exposed for sale in the premises

(3) All refuse and dirt in and about the premises shall be removed and the drains well flushed and the premises at all times maintained in a clean and tidy condition. There shall be sufficient latrine accommodation and the latrine shall be kept clean and all night soil shall be covered with ashes or fresh earth and removed daily.

V. No person suffering from any contagious, infectious or loathsome disease or who has recently been in attendance on such person or who is unwashed or otherwise unclean shall be employed in an eating house

VI (1) All premises and all cooked and uncooked food stuffs and vessels shall at all reasonable times be open to inspection by the President or Vice President or other Officer authorised in this behalf

(2) All cases of dangerous, infectious diseases such as cholera, plague, eruptive fevers and fevers of more than 7 days duration occurring in the premises of the eating houses shall be notified to the President forthwith

VII Any infringement of any of the above byelaws shall render the offender liable on conviction before a Magistrate to a fine not exceeding Rs 50 and to a further fine which may extend to Rs 5 for every day after such conviction during which he continues to infringe the byelaws, provided that the total fine does not exceed Rs 500/-

(Sd) T Chokkanna,

P R L S I D E N T

" C O P Y "

C Balaram Ramaiah

Deputy Commissioner,
Chitaldrug District

S.V.

145

Draft byelaws regarding Native Hotels or eating houses framed under section 48(c) of the Mysore Municipal Regulation of 1906.

I.(1) An eating house or hotel includes any house or place where cooked rice, mutton, vegetables, Dhall and confectionary or refreshments including chapaties, rice cakes, tea, coffee &c , are prepared and kept for sale

(2) No place should be used as an eating house without an annual license from the President.

(3) No license should be granted unless the building is spacious and suitable for an eating house. The President or the Medical Officer may inspect and approve such building

II. The water used in the premises for drinking purposes shall be filtered and kept clean and free from floating impurities in a suitable covered clean receptacle. The water receptacles shall be provided with a tap so that the water may be drawn off and placed in a clean place foot above the ground level.

III. The walls of every eating house shall be impervious and well plastered and the flooring shall be paved with Cuduppa or other dressed stones or flooring tiles. Kitchen and bath rooms shall be well ventilated and provided with proper smoke vents so that no smoke may pervade other rooms. All rooms in the eating houses shall be well lighted and ventilated. The proprietor or the person in charge shall not allow persons to dine in any other place but the dining hall

V.(1) All utensils and other furniture shall be kept clean and all metallic vessels used in cooking or for keeping food stuffs shall have a confirmed or complete lining of tin and no lead vessels of any sort shall be used for any purpose. All reasonable precautions shall be taken to preserve cooked food, pastry, sweetmeats, confectionary or preserved, dried or cut fruit intended for human consumption from contamination from flies, dust and bad odours.

(2) No food stuff of any sort shall be stored or exposed for sale in the premises which is stale, unwholesome, offensive or in any way unfit for human consumption

(3) All refuse and dirt in and about the premises shall be removed and the drains well flushed and the premises at all times maintained in a clean and tidy condition. There shall be sufficient latrine accommodation with daily conservancy and the latrine shall be kept clean and all night

30

soil shall be covered with ashes or fresh earth and removed d...

V. No person suffering from any contagious, infectious or loathsome disease or who has recently been in attendance on such person or who is unwashed or otherwise unclean shall be employed in an eating house

VI.(1) All premises and all cooked and uncooked food stuffs and vessels shall at all reasonable times be open to inspection by the President or Vice President or other Officer authorised in this behalf

(2) All cases of dangerous, infectious, diseases, such as cholera, plague, ~~eruptive~~ eruptive fevers and fevers of more than 7 days duration occurring in the premises of the eating houses shall be notified to the President forthwith.

VII. No person shall after The passing of these byelaws keep or manage an eating house without obtaining a license, within 7 days of his commencing to keep or manage such eating house and in the case of such eating houses already existing at the time, ~~these byelaws come into operation~~ the License shall be obtained within 30 days of the coming into operation of these byelaws

Any person who shall appear, act or behave as the person in charge of an eating house shall be deemed and taken to be the keeper or manager thereof.

VIII. A sign board shall be put up to show that the hotel or eating house is licensed.

IX. Whoever does any act or omits to do anything which he is required to do in contravention of these byelaws or fails to obtain a license as required by these byelaws and uses any place as an eating house shall be liable on conviction before a Magistrate to a fine not exceeding R 50 and a further fine which may extend to R$ 5 for every day after such conviction during which he continues to use such place for such purposes

(Signed) J Chokkanna
President

Copy

Asst Deputy Secretary
Electoral Dept

(31)

Byelaws framed by the Davangere Mul Council in respect of Hotels and Aerated Waters factories

G.R.S. 28]

Mul File No 81/15

Serial No 6

Diary No of letter replied to 1748

*Proceedings of the Government of His Highness the Maharaja of Mysore*

GENERAL AND REVENUE SECRETARIAT

( Mul )

Cover-1

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READ—

Correspondence ending with letter No 213 dated the 4th November 1915 from the Deputy Commissioner, Chitaldrug, District, forwarding for Sanction the draft byelaws framed by the Municipal Council of Davangere under sec 48(1)(c)

Date of issue 20/1/16

Signed by Mr a V Ramanathan

~~ORDER THEREON.—No.~~

over

SUBJECT

Of the Municipal Regulation
VII of 1906 for inspecting hotels or eating houses
and places for the manufacture
and Sale of aerated waters

—n—

Order 5259 ml 81-15-6 of 20-1 16

The byelaws in respect
of places used for the manufacture
and Sale of aerated waters are
Sanctioned with the following
modifications in byelaw X

(a) The words or any officer authorized
by the President" shall be inserted
after the words "Vice President"
so that any Sanitary Officer may, if necessary, be
empowered to inspect such places.

(b) The words "and the proprietor or the
manager of any place . . . . . .
Shall be guilty of an offence"
occurring at the end shall
be omitted as the manager or proprietor
can not be prosecuted on the mere
opinion of the Chemical Examiner
which is not stated on oath or subject
to cross examination in a Court of law

G R S 27]

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form.)

(2) The byelaws regarding Hotels or Eating houses are also sanctioned with the omission of the words "and is approved of by the President or the Medical Officer" at occurring at the end of clause 2 of bylaw no I since it is not necessary to obtain permission or approval for Keeping a hotel or Eating house

(3) The byelaws as sanctioned may be caused to be published and 12 copies of each sent to this Office for record

10/1/16

Secretary to Govt
3/10/16 Rev Dept

The Deputy Commissioner
Chittagong
with a copies of the bye laws
as approved by Govt

GTP—88,000—7-7-14

10/1

## CHITALDRUG DISTRICT

Bye laws regarding Native Hotels or eating houses framed by the Davangere Municipal Council under Section 48 (1) (c) of the Mysore Municipal Regulation of 1906 and sanctioned by Government in their Order No 5259—MI 81-15 6, dated 20th January 1916

1 (i) An eating house or hotel includes any house or place where cooked rice, beef, mutton, poultry, vegetables, dhall and confectionery or refreshments including chapaties, rice cakes, tea, coffee, etc, are prepared and kept for sale Any person who shall appear, act or behave as the person in charge of an eating house, shall be deemed and taken to be the keeper or manager thereof

(ii) No place should be used as an eating house, unless it is sufficiently spacious and suitable for the purpose

2 The water used in the premise for drinking purposes shall be drawn from sources approved by the President and be filtered, kept clean and free from floating impurities in a suitably covered, clean receptacle The water receptacle shall be provided with a tap so that the water may be drawn off, and shall be placed in a clean place at least a foot above the ground level

3 The walls of every eating house shall be well plastered and cemented to a height of 4 feet from the ground so as to make them impervious to water and the flooring shall be paved with Cuddapa or other dressed stones or flooring tiles or other material so as to make it impervious to water Kitchen and bath rooms shall be well ventilated and provided with proper smoke vents so that no smoke may pervade other rooms All rooms in the eating houses shall be well lighted and ventilated The proprietor or the person in charge shall not allow persons to dine in any other place but the dining hall

4 (i) All utensils and other furniture shall be kept clean and all metallic vessels used in cooking or for keeping food stuffs shall have a continual lining of tin and no lead vessel of any sort shall be used for any purpose All reasonable precautions shall be taken to preserve cooked food pastry, sweetmeats, confectionery, or preserved, dried or cut fruit intended for human consumption from contamination from flies, dust and bad odours

(ii) No foodstuff of any sort, which is stale, unwholesome, offensive or in any way unfit for human consumption shall be stored or exposed for sale in the premises

(iii) All refuse and dirt in and about the premises, shall be removed and the drains well flushed and the premises at all times maintained in a clean and tidy condition There shall be sufficient latrine accommodation and the latrine shall be kept clean and all night soil shall be covered with ashes or fresh earth and removed daily

5 No person suffering from any contagious, infectious or loathsome disease or who has recently been in attendance on such person or who is unwashed or otherwise unclean shall be employed in an eating house

6 (i) All premises and all cooked and uncooked foodstuffs and vessels shall at all reasonable times be open to inspection by the President or Vice President or other officer authorised in that behalf

(ii) All cases of dangerous, infectious diseases such as cholera, plague, eruptive fevers and fevers of more than seven days duration occurring in the premises of the eating houses shall be notified to the President forthwith

7 Any infringement of any of the above bye laws shall render the offender liable on conviction before a Magistrate to a fine not exceeding Rs 50 and to a further fine which may extend to Rs 5 for every day after such conviction during which he continues to infringe the bye laws, provided that the total fine does not exceed Rs 500

Bye laws re manufacture and sale of aerated waters framed by the Municipal Council of Davangere under Section 48 (1) (c) of the Mysore Municipal Regulation of 1906 and sanctioned by Government in Order No 5259 —MI 81 15 6 dated 20th January 1916

1 No place shall be used for the manufacture or sale of aerated waters unless approved by the President for the purpose

2 All water to be used in the manufacture of aerated waters shall be boiled before use and be kept while cooling in a suitably covered vessel If the water be filtered after boiling, the filtering vessels and material shall be sterilised at such time and in such manner as the President may direct

3 All water to be used for washing bottles, etc , shall be stored in closed iron vessels and be treated before use with permangnate of pottasium as the President may direct

4 The room in which aerated waters are manufactured shall be properly roofed and kept clean and in good repair The walls shall be plastered with mortar and shall be lime-washed at least once in three months The floor shall be stone flagged, tiled or otherwise made impervious to water and shall be properly drained.

5 All water to be manufactured into aerated waters or to be used for washing bottles shall be drawn only from sources approved by the President

6 Such water shall not be carried in massacks or in any other vessels not approved of by the President

7 Carts employed for the carriage of such water shall be kept on the premises, shall have the designation of the factory painted on the barrel and shall at all times be kept in a state of scrupulous cleanliness

8 The premises and all appliances used in the manufacture shall be kept clean and shall be open to inspection at all reasonable times by the President, the Medi cal Officer or any other officer deputed by the President

9 No aerated waters of any kind shall be issued from the manufactory without a pro per label on each bottle giving full name and address of the manufacturer

10 It shall be lawful for the Medical Officer or President or Vice President or any officer authorised by the President to enter any place used for the manufacture or sale of aerated waters at any time when such is open and to inspect or to take a sample of bottles of any kind of aerated waters which are there, manu factured or kept for sale Any proprietor or person in charge of such factory, who refuses permission to take such samples shall be guilty of an offence Such samples may be forwarded to the Government Chemical Examiner and Bacteriologist and if a certificate from him states that such sample is unfit for human consumption it shall be evidence that it is so unfit until the con trary is proved

11 A breach of any of these bye laws shall render the proprietor and the person in charge of the place liable on conviction before a Magistrate to a fine not ex ceeding Rs 20 and to a further fine which may extend to Rs 5 for every day after such conviction during which the breach continues provided that the total fine does not exceed Rs 500

T Hanumantha Rao,
For *Deputy Commissioner*